

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

UNITED STATES OF AMERICA §
§
v. § NO. 1:21-CR-91
§
JUAN FIDENCIO ROMO-DE LA ROSA §

ELEMENTS OF THE OFFENSE

You are charged in Count One of the indictment with a violation of 18 U.S.C. § 751(a), that makes it a federal crime for a federal inmate to escape from a federal facility.

For you to be found guilty of such offense, the government must prove each of the following elements of the offense, beyond a reasonable doubt:

- First That you were, at the time stated in the indictment, in federal custody;
- Second: That at such time you were in federal custody due to a lawful conviction on for an offense, namely a federal felony offense, as described in the indictment;
- Third: That you left or attempted to leave federal custody without permission; and,
- Fourth: That you knew, at such time, that leaving would result in your absence from custody without permission.

Respectfully submitted,

BRIT FEATHERSTON
UNITED STATES ATTORNEY

/s/ Nicole Dempsey
NICOLE DEMPSEY
Special Assistant United States Attorney
Texas Bar No. 24082077
550 Fannin, Suite 1250

Beaumont, Texas 77701
(409) 839-2538
(409) 839-2550 (fax)
email: NDempsey@bop.gov

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was delivered by electronic filing to David Barlow, attorney for defendant, on the 16th day of December, 2021.

/s/ Nicole Dempsey
NICOLE DEMPSEY
Special Assistant United States Attorney